

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Deployment of Wireline Services Offering	)	CC Docket No. 98-147
Advanced Telecommunications Capability	)	
	)	

**REPLY COMMENTS OF AT&T CORP.**

AT&T Corp. (“AT&T”) submits this reply to the comments filed regarding the request by Verizon Communications (“Verizon”) that the Commission clarify that a requirement for a POT bay is a reasonable collocation practice and does not violate the Commission’s rules.<sup>1</sup>

The comments support AT&T’s position that Verizon may not insist upon mandatory use of a POT bay, and that the Commission should not issue Verizon’s requested clarification. Although, proper use of POT bays may provide benefits appreciated by some collocators, they are often “impractical or uneconomical” and “increase the cost and complexity of interconnection.”<sup>2</sup> As Sprint demonstrates, forced use of POT bays may impose “significant disadvantages” on competitive carriers, including additional costs, increased risk of installation and transmission error, heightened security concerns, forced use of multiple POT bays within the same office, and complications of the repair process.<sup>3</sup> For these reasons, ASCENT, Sprint,

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<sup>1</sup> The commenters were: the Association of Communications Enterprises (“ASCENT”); Qwest Services Corporation (“Qwest”); Sprint Corporation (“Sprint”); the Verizon telephone companies (“Verizon”); and WorldCom, Inc. (“WorldCom”).

<sup>2</sup> WorldCom at 2.

<sup>3</sup> Sprint at 1-2.

WorldCom and AT&T agree that Verizon (and other ILECs) should not be permitted to mandate use of POT bays.<sup>4</sup>

Grant of the requested clarification could well create additional, unanticipated, anticompetitive consequences, and should be rejected for those reasons as well. As Qwest points out, Verizon apparently would use the requested clarification to prohibit direct interconnection between collocating CLECs in Verizon central offices and would force such CLEC-to-CLEC cross-connections to occur through Verizon-mandated POT bays.<sup>5</sup> There is simply no justification for forcing collocating CLECs to bear the additional costs and complexity such a requirement would introduce. Moreover, ASCENT demonstrates that such a change in the Commission's rules would require a notice and comment proceeding.<sup>6</sup>

Verizon contends, however, that the Commission already has blessed forced use of POT bays.<sup>7</sup> Yet, as commenters point out,<sup>8</sup> in its *Advanced Services First Report and Order*,<sup>9</sup> the Commission, citing comments relating specifically to mandatory use of POT bays, held that ILECs may not require intermediate interconnection arrangements, if

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<sup>4</sup> ASCENT at 4 (opposes clarification that would permit ILECs "to require the use of POT bays"); Sprint at 1 (ILEC cannot "unilaterally require the collocator to terminate at the POT bay"); WorldCom at 1 ("ILEC is not permitted to *require* the use of a POT bay" (emphasis in original)); AT&T at 5 (Commission should not permit ILECs to "require" use of POT bays).

<sup>5</sup> Qwest at 2.

<sup>6</sup> ASCENT at 1, 4.

<sup>7</sup> Verizon at 2.

<sup>8</sup> ASCENT at 2; Sprint at 3; WorldCom at 2.

<sup>9</sup> *Deployment of Wireline Services Offering Advanced Telecommunications Capability*, First Report and Order and Further Notice of Proposed Rulemaking, CC Docket No. 98-147, FCC 99-48, 14 FCC Rcd. 4761 (1999) ("*Advanced Services First Report and Order*")

direct connection to the incumbent's network is technically feasible.<sup>10</sup> Moreover, Verizon's attempts to justify forced use of POT bays only corroborate the ambiguity of its proposed POT bay requirement. Thus, although at one point it states that use of the POT bay allows each party to perform maintenance and repair testing without the other party being present (implying that the POT bay would be located in common space outside a CLEC's collocation cage),<sup>11</sup> it later contemplates that the mandatory POT bay may in fact be located within the collocation cage.<sup>12</sup> Verizon's failure to specify precisely what it seeks to unilaterally impose on collocators also justifies Commission rejection of its request.

As AT&T observed in its initial comments, proper use of POT bays may provide benefits to collocating carriers. In such event, however, CLECs will voluntarily choose to use such arrangements. The Commission's rules do not permit incumbent LECs to impose such arrangements on CLECs, and the Commission should not "clarify" its rules to allow such a result.

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<sup>10</sup> *Advanced Services First Report and Order* at ¶ 42.

<sup>11</sup> Verizon at 7.

<sup>12</sup> *Id.* ("the collocator installs its own POT bay inside its collocation arrangement").

## **CONCLUSION**

For all of the reasons set forth above, the Commission should reject Verizon's proposed clarification. The Commission also should not eliminate, repeal or amend Commission rule 51.323(k)(2).

Respectfully submitted,

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Dated: April 2, 2002

## **CERTIFICATE OF SERVICE**

I, Theresa Donatiello-Neidich, hereby certify that on this 2<sup>nd</sup> day of April, 2002, I caused true and correct copies of the forgoing Reply Comments of AT&T Corp. to be served on the party listed below by mailing, postage prepaid, to the address listed below.

Dated: April 2, 2002

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